

defense committees on the activities the Department is undertaking to ensure that authoritative enterprise data is available to and interoperable among multiple data management and analytics platforms for the Secretary of Defense, Deputy Secretary of Defense, Principal Staff Assistants, and components of the Department in adherence with an open data standard architecture.

(b) **ELEMENTS.**—The briefing provided under subsection (a) shall include the following:

(1) An assessment of how data analytics platforms currently in use adhere to an open data standard architecture in accordance with the Deputy Secretary of Defense's memorandum on Creating Data Advantage.

(2) A description of the process and metrics used by the Chief Data Officer to approve additional platforms for use.

(3) A plan to federate data that can be accessed across the enterprise, wherever it exists, by multiple data analytics platforms.

(4) An assessment of the cybersecurity benefits derived through implementing a diversity of data platforms.

(5) An assessment of the ability to better meet unique mission requirements at the edge via operator access to competitive, multi-tool analytics platforms.

SA 4450. Ms. KLOBUCHAR (for herself, Mr. CORNYN, Mr. COONS, and Mr. MURKOWSKI) submitted an amendment intended to be proposed by her to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1054. STUDY ON FACTORS AFFECTING EMPLOYMENT OPPORTUNITIES FOR IMMIGRANTS AND REFUGEES WITH PROFESSIONAL CREDENTIALS OBTAINED IN FOREIGN COUNTRIES.

(a) **DEFINITIONS.**—

(1) **APPLICABLE IMMIGRANTS AND REFUGEES.**—In this section, the term “applicable immigrants and refugees” —

(A) means individuals who—

(i)(I) are not citizens or nationals of the United States; and

(II) are lawfully present in the United States and authorized to be employed in the United States; or

(ii) are naturalized citizens of the United States who were born outside of the United States and its outlying possessions; and

(B) includes individuals described in section 602(b)(2) of the Afghan Allies Protection Act of 2009 (title VI of division F of Public Law 111-8; 8 U.S.C. 1101 note).

(2) **OTHER TERMS.**—Except as otherwise defined in this subsection, terms used in this section have the definitions given such terms under section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(b) **STUDY REQUIRED.**—

(1) **IN GENERAL.**—The Secretary of Labor, in coordination with the Secretary of State, the Secretary of Education, the Secretary of Health and Human Services, the Secretary of Commerce, the Secretary of Homeland Security, the Administrator of the Internal Revenue Service, and the Commissioner of the Social Security Administration, shall conduct a study of the factors affecting employment opportunities in the United States for applicable immigrants and refugees who have professional credentials that were ob-

tained in a country other than the United States.

(2) **WORK WITH OTHER ENTITIES.**—The Secretary of Labor shall seek to work with relevant nonprofit organizations and State agencies to use the existing data and resources of such entities to conduct the study required under paragraph (1).

(3) **LIMITATIONS ON DISCLOSURE.**—Any information provided to the Secretary of Labor in connection with the study required under paragraph (1)—

(A) may only be used for the purposes of, and to the extent necessary to ensure the efficient operation of, such study; and

(B) may not be disclosed to any other person or entity except as provided under this subsection.

(c) **INCLUSIONS.**—The study required under subsection (b)(1) shall include—

(1) an analysis of the employment history of applicable immigrants and refugees admitted to the United States during the 5-year period immediately preceding the date of the enactment of this Act, which shall include, to the extent practicable—

(A) a comparison of the employment applicable immigrants and refugees held before immigrating to the United States with the employment they obtained in the United States, if any, since their arrival; and

(B) the occupational and professional credentials and academic degrees held by applicable immigrants and refugees before immigrating to the United States;

(2) an assessment of any barriers that prevent applicable immigrants and refugees from using occupational experience obtained outside the United States to obtain employment in the United States;

(3) an analysis of available public and private resources assisting applicable immigrants and refugees who have professional experience and qualifications obtained outside of the United States to obtain skill-appropriate employment in the United States; and

(4) policy recommendations for better enabling applicable immigrants and refugees who have professional experience and qualifications obtained outside of the United States to obtain skill-appropriate employment in the United States.

(d) **REPORT.**—Not later than 18 months after the date of the enactment of this Act, the Secretary of Labor shall—

(1) submit a report to Congress that describes the results of the study conducted pursuant to subsection (b); and

(2) make such report publicly available on the website of the Department of Labor.

SA 4451. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1064. ADDRESSING THREATS TO NATIONAL SECURITY WITH RESPECT TO WIRELESS COMMUNICATIONS RESEARCH AND DEVELOPMENT.

(a) **IN GENERAL.**—Chapter 4 of title II of the Trade Expansion Act of 1962 (19 U.S.C. 1862 et seq.) is amended by adding at the end the following:

“SEC. 234. STATEMENT OF POLICY.

“It is the policy of the United States—

“(1) to ensure the continued strength and leadership of the United States with respect to the research and development of key technologies for future wireless telecommunications standards and infrastructure;

“(2) that the national security of the United States requires the United States to maintain its leadership in the research and development of key technologies for future wireless telecommunications standards and infrastructure; and

“(3) that the national security and foreign policy of the United States requires that the importation of items that use, without a license, a claimed invention protected by a patent that is essential for the implementation of a wireless communications standard and is held by a United States person, be controlled to ensure the achievement of the policies described in paragraphs (1) and (2).

“SEC. 235. LIST OF FOREIGN ENTITIES THAT THREATEN NATIONAL SECURITY WITH RESPECT TO WIRELESS COMMUNICATIONS RESEARCH AND DEVELOPMENT.

“(a) **IN GENERAL.**—The Secretary of Commerce (in this section referred to as the ‘Secretary’) shall establish and maintain a list of each foreign entity that the Secretary determines—

“(1)(A) uses, without a license, a claimed invention protected by a patent that is essential for the implementation of a wireless communications standard and is held by a covered person; and

“(B) is a person of concern or has as its ultimate parent a person of concern; or

“(2) is a successor to an entity described in paragraph (1).

“(b) **WATCH LIST.**—

“(1) **IN GENERAL.**—The Secretary shall establish and maintain a watch list of each foreign entity—

“(A)(i) that is a person of concern or has as its ultimate parent a person of concern; and

“(ii) with respect to which a covered person has made the demonstration described in paragraph (2) in a petition submitted to the Secretary for the inclusion of the entity on the list; or

“(B) that is a successor to an entity described in subparagraph (A).

“(2) **DEMONSTRATION DESCRIBED.**—

“(A) **IN GENERAL.**—A covered person has made a demonstration described in this paragraph if the person has reasonably demonstrated to the Secretary that—

“(i) the person owns at least one unexpired patent that is essential for the implementation of a wireless communications standard;

“(ii) a foreign entity that is a person of concern, or has as its ultimate parent a person of concern, has been, for a period of more than 180 days, selling wireless communications devices in or into the United States, directly or indirectly, that are claimed, labeled, marketed, or advertised as complying with that standard;

“(iii) the covered person has offered to the foreign entity or any of its affiliates—

“(I) a license to the person's portfolio of patents that are essential to that standard; or

“(II) to enter into binding arbitration to resolve the terms of such a license; and

“(iv) the foreign entity has not executed a license agreement or an agreement to enter into such arbitration, as the case may be, by the date that is 180 days after the covered person made such an offer.

“(B) **DEMONSTRATION OF ESSENTIALITY.**—A covered person may demonstrate under subparagraph (A)(i) that the person owns at least one unexpired patent that is essential for the implementation of a wireless communications standard by providing to the Secretary any of the following:

“(i) A decision by a court or arbitral tribunal that a patent owned by the person is essential for the implementation of that standard.

“(ii) A determination by an independent patent evaluator not hired by the person that a patent owned by the person is essential for the implementation of that standard.

“(iii) A showing that wireless communications device manufacturers together accounting for a significant portion of the United States or world market for such devices have entered into agreements for licenses to the person’s portfolio of patents that are essential for the implementation of that standard.

“(iv) A showing that the person has previously granted licenses to the foreign entity described in subparagraph (A)(ii) or any of its affiliates with respect to a reasonably similar portfolio of the person’s patents that are essential for the implementation of that standard.

“(C) ACCOUNTING OF WIRELESS COMMUNICATIONS DEVICE MARKET.—A showing described in subparagraph (B)(iii) may be made either by including or excluding wireless communications device manufacturers that are persons of concern.

“(3) PROCEDURES.—

“(A) ADDING A FOREIGN ENTITY TO THE WATCH LIST.—

“(i) IN GENERAL.—The Secretary may add a foreign entity to the watch list under paragraph (1) only after notice and opportunity for an agency hearing on the record in accordance with (except as provided in clause (ii)) sections 554 through 557 of title 5, United States Code.

“(ii) MATTERS CONSIDERED AT HEARING.—An agency hearing conducted under clause (i)—

“(I) shall be limited to consideration of—

“(aa) whether the demonstration described in paragraph (2) has been reasonably made; and

“(bb) the amount of bond to be required in accordance with section 236; and

“(II) may not include the presentation or consideration of legal or equitable defenses or counterclaims.

“(B) ADMINISTRATIVE PROCEDURE.—Except as provided in subparagraph (A), the functions exercised under this section and section 236 shall not be subject to sections 551, 553 through 559, or 701 through 706 of title 5, United States Code.

“(c) MOVEMENT BETWEEN LISTS.—A foreign entity on the watch list required by subsection (b)(1) may be moved to the list required by subsection (a), pursuant to procedures established by the Secretary, on or after the date that is one year after being included on the watch list if the foreign entity is not able to reasonably demonstrate that it has entered into a patent license agreement or a binding arbitration agreement with each covered person that has made the demonstration described in subsection (b)(2) with respect to the entity.

“(d) REMOVAL FROM LISTS.—A foreign entity on the list required by subsection (a) or on the watch list required by subsection (b)(1) may petition the Secretary to be removed from that list on the basis that the conditions that led to the inclusion of the foreign entity on the list no longer exist. The burden of proof shall be on the foreign entity.

“(e) DEFINITIONS.—In this section:

“(1) AFFILIATE.—The term ‘affiliate’, with respect to an entity, means any entity that owns or controls, is owned or controlled by, or is under common ownership or control with, the entity.

“(2) COUNTRY OF CONCERN.—The term ‘country of concern’ means a country with respect to which the Secretary determines that—

“(A) persons in the country persistently use, without obtaining a license, patents—

“(i) essential to the implementation of wireless communications standards; and

“(ii) held by a covered person; and

“(B) that use of patents poses a threat to—

“(i) the ability of the United States to maintain a wireless communications research and development infrastructure; and

“(ii) the national security of the United States, pursuant to the policy set forth in section 234.

“(3) COVERED PERSON.—The term ‘covered person’ means—

“(A) a covered United States person; or

“(B) an affiliate of a covered United States person—

“(i) headquartered in, or organized under the laws of, a country that is a member of the European Union or the North Atlantic Treaty Organization; and

“(ii) engaged in wireless communications research and development.

“(4) COVERED UNITED STATES PERSON.—The term ‘covered United States person’ means a United States person engaged in wireless communications research and development in the United States.

“(5) PERSON OF CONCERN.—The term ‘person of concern’ means a person that is—

“(A) an individual who is a citizen or national (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))) of a country of concern; or

“(B) an entity that is headquartered in, or organized under the laws of, a country of concern.

“(6) UNITED STATES PERSON.—The term ‘United States person’ means—

“(A) an individual who is a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

“(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

“(C) any person in the United States.

“(7) WIRELESS COMMUNICATIONS STANDARD.—The term ‘wireless communications standard’ means—

“(A) a cellular wireless telecommunications standard, including such a standard promulgated by the 3rd Generation Partnership Project (commonly known as ‘3GPP’) or the 3rd Generation Partnership Project 2 (commonly known as ‘3GPP2’); or

“(B) a wireless local area network standard, including such a standard designated as IEEE 802.11 as developed by the Institute of Electrical and Electronics Engineers (commonly known as the ‘IEEE’).

“SEC. 236. IMPORT SANCTIONS WITH RESPECT TO CERTAIN FOREIGN ENTITIES THAT THREATEN NATIONAL SECURITY.

“(a) IN GENERAL.—Any foreign entity on the list required by section 235(a) may be subject to such controls on the importing of goods or technology into the United States as the President may prescribe.

“(b) ENTRY UNDER BOND.—

“(1) IN GENERAL.—Unless otherwise prescribed by the President, a product described in paragraph (2) may not enter the United States except under bond prescribed by the Secretary of Commerce in an amount determined by the Secretary to be sufficient to protect from injury a covered United States person that made the demonstration described in section 235(b)(2) with respect to the entity that has been selling the product directly or indirectly in or into the United States.

“(2) PRODUCTS DESCRIBED.—A product described in this paragraph is a wireless communications device—

“(A) produced or sold by—

“(i) a foreign entity on the watch list required by section 235(b);

“(ii) a successor of such an entity; or

“(iii) an affiliate of an entity described in clause (i) or (ii); and

“(B) that is claimed, labeled, marketed, or advertised as complying with a wireless communications standard that was the basis for the inclusion of the foreign entity on the watch list.

“(c) FORFEITURE OF BOND.—

“(1) IN GENERAL.—If a foreign entity on the watch list required by section 235(b) is moved to the list required by section 235(a) and becomes subject to controls under subsection (a), a bond paid under subsection (b) shall be forfeited to a covered United States person that made the demonstration described in section 235(b)(2) with respect to the entity.

“(2) TERMS AND CONDITIONS.—The Secretary of Commerce shall prescribe the procedures and any terms or conditions under which bonds will be forfeited under paragraph (1).

“(d) NON-INTEREST-BEARING BONDS.—A bond under this section shall be non-interest-bearing.

“(e) DEFINITIONS.—In this section, the terms ‘affiliate’ and ‘covered United States person’ have the meanings given those terms in section 235(d).”

(b) CONTROLS ON IMPORTS OF GOODS OR TECHNOLOGY AGAINST PERSONS THAT RAISE NATIONAL SECURITY CONCERNS.—Section 233 of the Trade Expansion Act of 1962 (19 U.S.C. 1864) is amended to read as follows:

“SEC. 233. IMPORT SANCTIONS FOR EXPORT VIOLATIONS.

“(a) IN GENERAL.—A person described in subsection (b) may be subject to such controls on the importing of goods or technology into the United States as the President may prescribe.

“(b) PERSONS DESCRIBED.—A person described in this subsection is a person that—

“(1) violates any national security export control imposed under section 1755 of the Export Control Reform Act of 2018 (50 U.S.C. 4814) or any regulation, order, or license issued under that section; or

“(2) raises a national security concern under—

“(A) section 235 or any regulation, order, or license issued under that section; or

“(B) the Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.) or any regulation, order, or license issued under that Act.”

SA 4452. Mr. RISCH submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, insert the following:

SEC. 1264. REPORTS ON ADOPTION OF CRYPTOCURRENCY AS LEGAL TENDER IN EL SALVADOR.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, in coordination with the heads of other relevant Federal departments and agencies, shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the adoption by the Government of El Salvador of a cryptocurrency as legal tender.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the process followed by the Government of El Salvador to develop